

**Amendments to the Drawings:**

The attached sheet of drawing includes changes to Fig. 12. This sheet replaces the original sheet including Fig. 12.

In Figure12, reference numeral "19c" is corrected to --19b--.

Attachment: Replacement Sheet and Annotated Sheet Showing Changes

## II. REMARKS

### A. Telephonic Interview

On page 5 of the Office Action it is noted that "Claims 1 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by Belton." There is no indication in the Office Action as to the reference number for this Belton reference.

The undersigned had a telephone interview with the Examiner on January 18, 2005 during which this oversight was brought the Examiner's attention. The Examiner indicated that she would send an updated PTO 892 and restart the date for responding to the Office Action.

To date no such communication has been received. Accordingly, the Applicant is responding to the incomplete January 3, 2005 Office Action, as the date has not been rescinded.

It is assumed that the Belton reference that is referred to in the Office Action is U.S. Patent No. 5,785,576. If this understanding is incorrect, it is requested that the Examiner contact the undersigned and issue a new Office Action, which, under the circumstances, could not be a Final Office Action.

### B. Summary of Action and Response

In this Office Action the drawings are objected to, claims 1-19 are noted as pending, claims 7-18 are rejected under Section 112, claims 8, 9, 11, 12, 14, 15, 17 and 18 are noted as allowable, and claims 1-7, 10, 16 and 19 are rejected based on prior art.

In summary of this Response, claims 1, 7, 8 and 9 are amended, new claims 20-39 are added and remarks are provided.

New claims 20 and 21 correspond to claim 19, but depend from claims 8 and 9, respectively.

New claims 22-27 find support, e.g., on page 13, lines 12-23.

New claims 28 and 29 find support, e.g., on page 15, lines 7-9.

New claims 30-32 find support, e.g., on page 15, lines 11-25.

New claims 33-35 find support, e.g., on page 16, lines 1-3.

New claim 36 is supported, e.g., at page 16, line 5 to page 17, line 6.

New claims 37-39 find support, e.g., on page 20, lines 25-26.

### C. Objection to the Drawings

The drawings are objected to because they include reference numeral 27 that is not used in the written description. This matter has been attended to by amending the application at page

11, line 22, to read "turning pair with the driving link 21 about shafts 27."

D. Rejection of Claims Under 35 U.S.C. § 112

Claims 7-18 are rejected for including various indefinite recitations. This rejection has been attended to by amending claims 7-9 to recite "right and left driven links, each having a first and a second end, wherein each first end of the right and left driven link..." to clarify the previous "one ends of..." language. Also, since claim 1 has been amended to expressly recite the axle, claims 7's recitation of "the front axle" has antecedent basis.

E. Rejection of Claims Under 35 U.S.C. § 102

Claims 1-6 are rejected based on Wu et al. (U.S. Patent No. 6,371,830); claims 1 and 7 are rejected based on Lee (U.K. Reference No. 2,184,108); claim 1, 7, 10 and 16 are rejected based on Tai-Cheng (U.S. Patent No. 4,743,214); and claims 1 and 19 are rejected based on Belton (again assuming the reference is U.S. Patent No. 5,785,576, as noted above).

For the following reasons, it is respectfully submitted that the present invention, as recited by amended claim 1, the only independent rejected claim, and claims 2-7, 10, 16, and 19, depending therefrom, was neither anticipated nor made obvious by the cited references.

More particularly, these references, either taken alone or in combination, fail to disclose a toy vehicle comprising, at least: a motor mounted in front of a front wheel axle on a chassis, for driving a front wheel, wherein the front wheel is driven by the motor. Claim 1 has been amended to recite this distinctive structure.

Support can be found, e.g., on page 2, lines 16-20, and Figs. 2, 4, 9 and 10. Benefits of such a structure, including better road holding, simplicity, compactness and better operability is discussed at, e.g., page 2, lines 11-15, page 3, lines 6-10, and page 14, lines 12-16.

More particularly, in Wu et al., the motor is mounted between the front and back wheels. (Motor 3b is between the axles 18 and 20, as seen by comparing FIGS. 2, 5 and 11). Tai-Cheng's motor is at an end of the vehicle opposite the front axle 5. For the U.K. reference of Lee, the toy vehicle appears approximately mid-engined like Wu et al. (see Fig. 1). In Benton, a motor (62) is mounted in front of the front wheels (4) for vertically moving the axle of the front wheels. This motor 62 is clearly not for making the vehicle toy run. Instead, the drive motor 104 is located near the rear wheels. (See FIG. 4 and Col. 7, lines 11-16.)

F. Allowable Claims

Claims 8, 9, 11-15, 17 and 18 have been amended herein into independent form, where necessary, and to address any Section 112 issues.

G. Information Disclosure Statement

Attached is a Statement providing further references.

III. CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that claims 1-39 are now in condition for allowance.

If there are any additional fees associated with this Response, please charge same to our Deposit Account No. 19-3935.

Finally, if there are any formal matters remaining after this Response, the undersigned would appreciate a telephone conference with the Examiner to attend to these matters.

Respectfully submitted,

STAAS & HALSEY LLP

Date: \_\_\_\_\_

4/11/05

By: \_\_\_\_\_

William F. Herbert  
Registration No. 31,024

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

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**FIG 12**

